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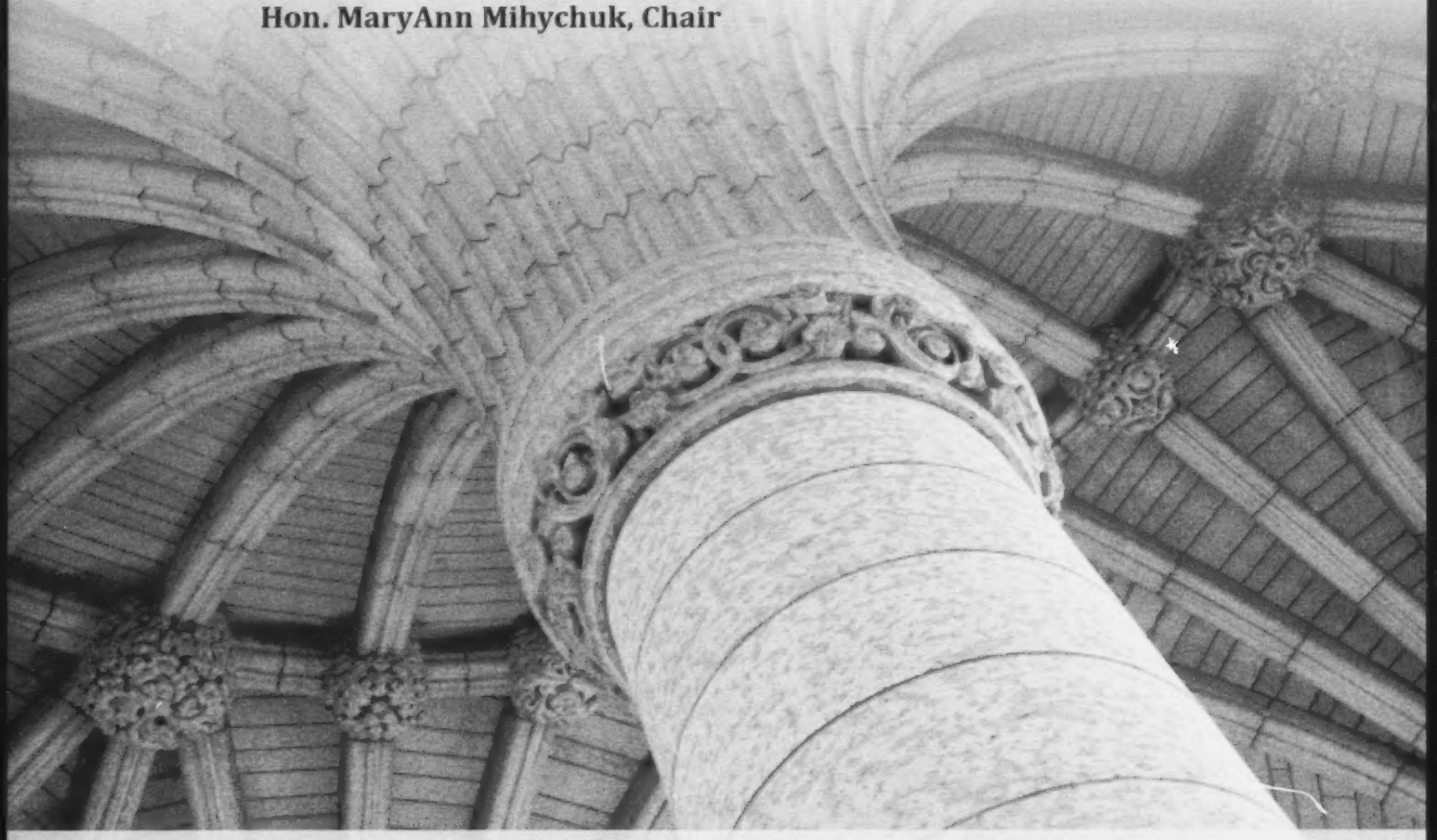
FROM THE ASHES: REIMAGINING FIRE SAFETY AND EMERGENCY MANAGEMENT IN INDIGENOUS COMMUNITIES

Report of the Standing Committee on Indigenous and Northern Affairs

Hon. MaryAnn Mihychuk, Chair



JUNE 2018
42nd PARLIAMENT, 1st SESSION

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FROM THE ASHES: REIMAGINING FIRE SAFETY AND EMERGENCY MANAGEMENT IN INDIGENOUS COMMUNITIES

Report of the Standing Committee on Indigenous and Northern Affairs

Hon. MaryAnn Mihychuk
Chair

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NOTICE TO READER

Reports from committees presented to the House of Commons

Presenting a report to the House is the way a committee makes public its findings and recommendations on a particular topic. Substantive reports on a subject-matter study usually contain a synopsis of the testimony heard, the recommendations made by the committee, as well as the reasons for those recommendations.

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THE STANDING COMMITTEE ON INDIGENOUS AND NORTHERN AFFAIRS

has the honour to present its

FIFTEENTH REPORT

Pursuant to its mandate under Standing Order 108(2), the Committee has studied fire safety and emergency management in Indigenous communities and has agreed to report the following:

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SUMMARY

Canada has experienced a series of intense wildfire seasons in recent years. In summer 2017, First Nations across the country endured an unprecedented number of wildfire emergencies, including numerous evacuations, which occurred primarily in Western Canada. Emergency events such as wildfires disproportionately affect First Nation communities because of their relative remoteness, isolation in fire-prone areas and limited access to emergency services. In addition, Members of Parliament who witnessed evacuation efforts saw discrepancies in the delivery of services between provinces and brought these to the attention of the House of Commons Standing Committee on Indigenous and Northern Affairs (the Committee). For these reasons, the Committee decided in the fall of 2017 to study the response to and long-term impacts of the summer's wildfires in First Nation communities.

In addition, the committee took the opportunity to study fire safety on reserve. It has been well-documented that current conditions in many First Nation communities have led to unsafe living conditions where housing is prone to fire, disproportionate to non-Indigenous communities. The federal government has a fiduciary responsibility to First Nations. Canada should ensure that First Nations have access to resources, tools and training comparable to other communities of similar size and location. On reserve, through service agreements with the Department of Indigenous Services Canada, many provinces and territories assume responsibility for emergency response and recovery services such as evacuations. In some instances, where agreements are not in place, third party service providers such as the Canadian Red Cross provide these services (e.g. Manitoba). The role of the federal government, as it relates to emergency management on reserve is to provide reimbursement for eligible costs incurred to First Nations as well as to provincial, territorial and third party service organizations.

The federal government has policies and programs in place to assist First Nations. So far, this framework is falling short, as evidenced by the fact that First Nations people are 10.4 times more likely to lose their lives to structural fires than non-Indigenous Canadians. The Committee heard from the 47 witnesses who testified at its nine public hearings. They indicated that there are significant gaps in the current approach to emergency management and fire safety in First Nation communities. The Committee heard that roles and responsibilities for First Nation emergency management are ill-defined, that funding for preparedness activities is at best inadequate, that First Nations are excluded from coordination activities, and that their expertise and culture are not always taken into account when responding to emergency events and emergency planning. The Committee also found out that direct response to wildfires often comes

too late, that evacuations are not well executed and that it can be challenging to clarify and implement roles due to various jurisdictions. This was evident when Members of Parliament heard of conditions in evacuation centres, particularly in Manitoba where conditions were reported to be less than adequate.

With regards to fire safety on reserve, the Committee heard that federal funding is based on formulas rather than on actual needs and that the risk of fire is increased by the lack of compliance with building and fire codes in First Nation communities. The Committee also heard that the federal government ceased collecting data related to on-reserve fire incidents, which has hampered efforts to tailor fire prevention programs to the needs of First Nation communities.

Nonetheless, the Committee was also made aware of promising initiatives such as Amber's Fire Safety Campaign of the Nishnawbe Aski Nation and of the creation of an Indigenous Fire Marshal's Office, on which the Aboriginal Firefighters Association of Canada is working. These are the types of initiatives that can help save lives in First Nation communities. They are also a testament to First Nations expertise and knowledge. The Committee fully supports these initiatives and recommends that the government provide the support necessary for them to be expanded and implemented, as well as to urge other First Nation communities and organizations to explore such pilot projects.

Together, provincial, territorial, and federal governments need to acknowledge First Nation communities as equal partners. The solutions to the problems identified in this report should come from First Nations themselves. The Committee hopes that the recommendations included in this report can open the door to broader discussions based on mutual respect and recognition.

LIST OF RECOMMENDATIONS

As a result of their deliberations, committees may make recommendations which they include in their reports for the consideration of the House of Commons or the Government. Recommendations related to this study are listed below.

Recommendation 1

That Indigenous Services Canada, recognizing First Nations as equal partners, work with them and provinces and territories through trilateral agreements to clarify the various roles and responsibilities regarding emergency management in First Nation communities..... 14

Recommendation 2

That Indigenous Services Canada, in cooperation with First Nations, review its Emergency Management Assistance Program to ensure that funding provided addresses the actual needs of First Nations; that in so doing, the department also ensure that sufficient funding is allocated for emergency preparedness activities, such as developing, updating and implementing emergency response plans. 16

Recommendation 3

That Indigenous Services Canada, through tripartite agreements, ensure that emergency service providers, where feasible, engage, train and employ local workforce from the communities for fire prevention and fire suppression, and that financial compensation is provided. 18

Recommendation

That Indigenous Services Canada support local collaboration efforts between First Nation and non-First Nation communities to identify a systematic approach to ensuring First Nations expertise and knowledge of lands and fire behaviour is shared with emergency service providers during and leading up to a response..... 20

Recommendation 5

That Indigenous Services Canada require tripartite agreements to include training for key staff on traditional cultures and practices in order to ensure that high-quality and culturally appropriate services are delivered; and in jurisdictions where the federal government is not involved in an emergency response, encourage those leading the efforts to engage with local First Nations to provide necessary training. 20

Recommendation 6

That Indigenous Services Canada, through tripartite agreements:

- **Require that one or more resource person(s) be identified to assist with the registration of evacuees and to highlight their specific needs;**
- **Ensure that a contact person be available throughout an evacuation to respond to emerging needs or concerns, which could include but not be limited to translation services, medical care and mental health supports;**
- **Ensure that all pertinent information be communicated with relevant contacts from a First Nation community. 23**

Recommendation 7

That Innovation, Science and Economic Development Canada, recognizing the growing importance of broadband and cellular telecommunications infrastructure in delivering emergency response measures, and given the existing gaps in such infrastructure in rural and Indigenous communities across Canada, evaluate new mechanisms that will enable an accelerated deployment of such infrastructure in emergency situations facing Indigenous communities. 23

Recommendation 8

That Indigenous Services Canada clarify the claims process and criteria for emergency response and recovery expenses on reserve; and that the department provide greater support to regional offices to expedite the timely reimbursement of claims; further, that the department clarify the claims process and criteria for expenses incurred by First Nations that provide emergency support services to non-First Nation communities, and that claims be reimbursed in a timely manner. 27

Recommendation 9

That Indigenous Services Canada, in cooperation with First Nation communities and the provincial government in British Columbia, review recommendations in the recently-published report, *Addressing the New Normal: 21st Century Disaster Management in British Columbia*, and develop an action plan for implementation. 28

Recommendation 10

That Indigenous Services Canada allocate additional resources for First Nations to develop and implement fire prevention campaigns, such as Amber's Fire Safety Campaign from the Nishnawbe Aski Nation..... 30

Recommendation 11

That Indigenous Services Canada, in collaboration with First Nations, establish an independent Indigenous Fire Marshal's Office in order to promote fire safety and prevention in First Nation communities including but not limited to activities such as undertaking public education and awareness campaigns, implementing standardized training for fire safety officials, developing and enforcing fire safety standards and building codes, and conducting regular building inspections; that to allow the Indigenous Fire Marshal's Office to effectively perform its role, a robust data collection system be developed and implemented; and that First Nations provide input and be informed of the progress of this initiative. 36

FROM THE ASHES: REIMAGINING FIRE SAFETY AND EMERGENCY MANAGEMENT IN INDIGENOUS COMMUNITIES

INTRODUCTION

In summer 2017, Canada experienced an intense wildfire season. More than 5,300 fires burned over 34,000 square kilometres.[1,2] During this period, First Nations faced 49 wildfire emergencies, and over 12,800 First Nations people were evacuated from their communities.[3] Compared to non-Indigenous communities, First Nation communities are disproportionally affected by these emergency events for a number of reasons, such as their relative remoteness, isolation in fire-prone areas and limited access to emergency services.[4]

According to Public Safety Canada's estimates, there are "around 200 Indigenous communities that are really exposed and have a high risk of wildfires."[5] As illustrated in the map below (Figure 1), burned areas overlapped with the reserves of 75 First Nations between 2006 and 2016 (the last year for which data was available).

1 House of Commons, Standing Committee on Indigenous and Northern Affairs [INAN], *Evidence*, 21 November 2017, 1135 (Jean-Philippe Tizi, Chief of Domestic Operations, Canadian Red Cross).

2 According to Natural Resources Canada, there are approximately 7,500 fires each year in Canada, which burn on average 24,000 square kilometres.

3 INAN, *Evidence*, 2 November 2017, 1100 (Serge Beaudoin, Director General, Sector Operations Branch, Regional Operations Sector, Department of Indian Affairs and Northern Development).

4 Ibid.

5 INAN, *Evidence*, 2 November 2017, 1145 (Patrick Tanguy, Assistant Deputy Minister, Government Operations Centre, Emergency Management and Programs Branch, Department of Public Safety and Emergency Preparedness).

Figure 1 - First Nation Reserve Lands in relation to Burned Areas in Canada from 2006 to 2016

Number of occasions a First Nation reserve land was within an individual burned area
1 to 3
4 to 11
Burned Areas
Lillooet Area
Lillooet Area
1:25,000,000
Canada Lambert Conformal Conic, NAD 83
© Library of Parliament

Note 1: This map only shows First Nations with reserve lands, as defined by the Indian Act. Other types of lands, such as settlement lands, are not included.

Note 2: This map only shows fires with a minimum surface of 2 square kilometres. According to Natural Resources Canada, "these represent a small percentage of all fires but account for most of the area burned (usually more than 97%)."

Source: Map prepared by Library of Parliament, Ottawa, 2018, using data from Natural Resources Canada. "Canadian Wildfire Information System". National Burned Area Composite (NBAC), accessed 28 January 2018; Natural Resources Canada (NRCan). Boundary Polygons. In: Atlas of Canada National Scale Data 1:5,000,000 Series. Ottawa: NRCan, 2013; Natural Resources Canada (NRCan). Roads. In: Atlas of Canada National Scale Data 1:5,000,000 Series. Ottawa: NRCan, 2013; and Natural Resources Canada (NRCan). Place Names. In: Atlas of Canada National Scale Data 1:5,000,000 Series. Ottawa: (NRCan), 2013; and Aboriginal and Northern Development Canada. "Administrative Lands" dataset, 20 February 2018. The following software was used: Esri, ArcGIS, version 10.3.1. Contains information licensed under Open Government Licence – Canada.

At the time of finalizing this report, the 2018 wildfire season had already begun and caused numerous evacuations. As of 23 May 2018, there had been 1,630 fires since the

beginning of the year, 41 of which were still uncontrolled.[6] First Nation communities continue to be affected by these emergency events and a number of the issues the Committee heard about during this study are still very much present on the ground, making this report more timely than ever. The Committee is hopeful that its recommendations can make a positive difference in the lives of the many First Nations who go through these situations all too often.

In recent years, events such as wildfires have been increasing in frequency, severity and duration.[7] Chief Ronald E. Ignace of the Skeetchestn Indian Band told the Committee that in his opinion "mega fires are now a new normal. This fire that we had [in the British Columbia Interior in summer 2017] is just the beginning. The mother of all fires has yet to come – I tell you that. Climate change adds fuel to wildfire flames."[8]

Aware of the magnitude and intensity of the summer 2017 wildfires and their effects on First Nation communities, the Committee adopted the following motion on 5 October 2017:

> That the Committee undertake a study on the response and long-term impacts of this summer's wildfire on first nations communities, as well as emergency management and fire safety in reserve communities; that this study be comprised of no less than four meetings and the committee report its findings to the House.

During its study, the Committee held nine public hearings and heard from 47 witnesses, including First Nations affected by wildfires, emergency management and fire safety experts, Indigenous organizations and associations, federal government departments, and non-governmental organizations. The Committee also received six briefs from individual First Nations, First Nations organizations and a regional government. The Committee sincerely thanks all the individuals and groups who took part in this study.

This report is divided into three parts. The first provides greater context on emergency management in First Nation communities and the various roles and responsibilities. The second, on emergency management, discusses preparedness, response and recovery in First Nation communities. The third, on fire safety, addresses prevention, funding, fire protection standards and data collection.

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6 Natural Resources Canada, *National Wildland Fire Situation Report*, 23 May 2018.

7 INAN, *Evidence*, 2 November 2017, 1100 (Serge Beaudoin); INAN, *Evidence*, 21 November 2017, 1215 (Grand Chief Jerry Daniels, Southern Chiefs' Organization Inc.); Brief submitted by the Nishnawbe Aski Nation, 5 December 2017.

8 INAN, *Evidence*, 5 December 2017, 1250 (Chief Ronald E. Ignace, Skeetchestn Indian Band).

BACKGROUND

A. Emergency Management Framework

In Canada, emergency management is governed by the 2007 *Emergency Management Act*[9] and by policies such as the Emergency Management Framework for Canada.[10] Updated in 2017, this framework defines an emergency as "[a] present or imminent event that requires prompt coordination of actions concerning persons or property to protect the health, safety or welfare of people, or to limit damage to property or the environment."[11] It also identifies four emergency management priorities that the Department of Indigenous Services Canada (hereafter, "Indigenous Services")[12] uses in its National On-reserve Emergency Management Plan:

- Mitigation: actions taken to prevent or reduce the consequences of an emergency;
- Preparedness: actions taken to prepare for effective emergency response;
- Response: actions taken immediately before, during, or after an emergency to manage its consequences and minimize its impacts; and
- Recovery: actions taken after an emergency incident to restore a community to its pre-emergency condition.[13]

In 2014, Indigenous Services (then Aboriginal Affairs and Northern Development Canada) "assumed responsibility for all costs for on-reserve emergency events."[14] Through its Emergency Management Assistance Program, Indigenous Services provides

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9 *Emergency Management Act*, S.C. 2007, c. 15.

10 Public Safety Canada, *An Emergency Management Framework for Canada – Third Edition*, May 2017.

11 Ibid., p. 21.

12 In November 2017, the Department of Indigenous Services Canada was created by Orders in Council P.C. 2017-1464 and 2017-1465. Portions of the Department of Health (the First Nations and Inuit Health Branch) and Department of Indian Affairs and Northern Development (the Education and Social Development Programs and Partnership Sector, and the Regional Operations Sector) were transferred to the new Department. The Regional Operations Sector is responsible for policies and programs related to community infrastructure and emergency management assistance.

13 Indigenous and Northern Affairs Canada [INAC], *National On-reserve Emergency Management Plan*.

14 INAC, *National On-reserve Emergency Management Plan*.

funding to support First Nations in activities involving mitigation, preparedness, response and recovery, and "reimburses provincial and territorial governments, First Nations and non-government organizations for eligible costs incurred in the delivery of emergency management services to First Nations."[15] Other Indigenous Services initiatives such as the Capital Facilities and Maintenance Program and the First Nation Infrastructure Fund also provide First Nations with funding for structural mitigation, fire protection and risk reduction projects.

In 2013 the Office of the Auditor General (OAG) reported that the annual budget for the Emergency Management Assistance Program was insufficient,[16] an observation shared by witnesses who appeared before the Committee.[17] As shown in Figure 2 below, while planned spending under the program has grown significantly over the past four years, it has been consistently below actual spending, forcing the department to request additional funds each year to make up the difference. These reallocations can have a negative impact on First Nation communities benefiting from other departmental programs, whose budgets end up being reduced.[18]

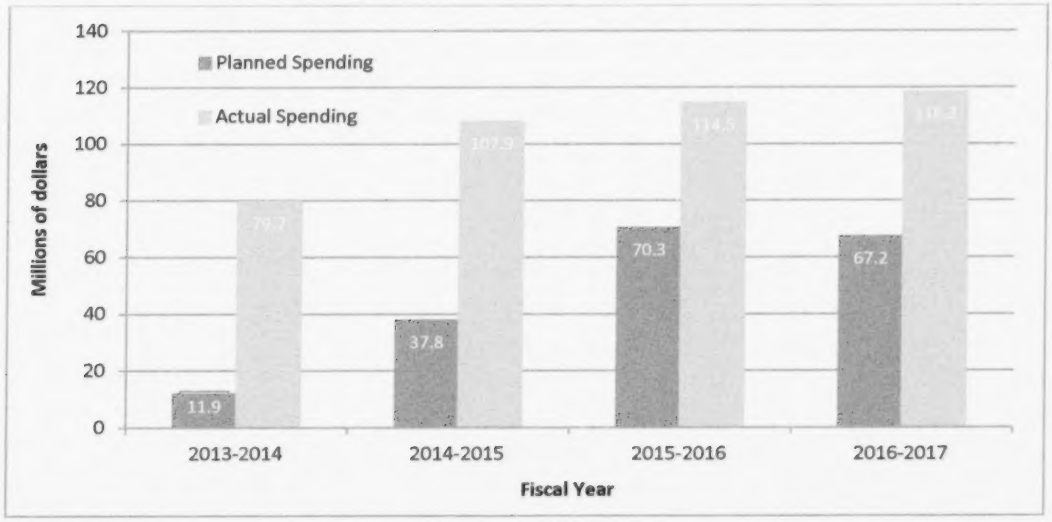
15 INAC, *Emergency management*.

16 Office of the Auditor General of Canada, "Chapter 6 – Emergency Management on Reserves," ***2013 Fall Report of the Auditor General of Canada,*** 2013.

17 INAN, *Evidence*, 21 November 2017, 1215 (Grand Chief Jerry Daniels); 1245 (Garry McLean, Elder, Lake Manitoba First Nation).

18 Office of the Auditor General of Canada, "Chapter 6 – Emergency Management on Reserves," ***2013 Fall Report of the Auditor General of Canada,*** 2013.

Figure 2 — Planned and Actual Spending, Emergency Management Assistance Program, 2013–2014 to 2016–2017 ($ millions)



Source: Indigenous and Northern Affairs Canada, *2013–2014*, *2014–2015*, *2015–2016* and *2016–2017 Departmental Performance Reports*.

Unlike municipalities, whose revenues are sourced from property taxes, First Nation communities rely mostly on federal funding, and "in most cases, [their] communities don't have the reserve capacity to cover interim expenses related to emergency planning and response."[19] This makes Indigenous Services' emergency preparedness funding essential to First Nations.

B. Roles and Responsibilities for First Nations Reserves Emergency Management

In order to ensure that First Nations have "access to emergency service programs comparable to municipalities of similar size and circumstance,"[20] Indigenous Services negotiates trilateral agreements with the provinces and territories and First Nations for the delivery of emergency management services to First Nation communities. As of November 2017, Indigenous Services had agreements in place covering mitigation, preparedness, response and recovery with Alberta, British Columbia, Prince Edward

19 INAN, *Evidence*, 5 December 2017, 1235 (Chief Tammy Cook-Searson, Lac La Ronge Indian Band).

20 INAC, *National On-reserve Emergency Management Plan*.

Island, Yukon and the Northwest Territories.[21] According to the department, these agreements "help to ensure successful coordinated response and recovery efforts, clarify roles and responsibilities, and support enhanced preparedness activities."[22] The Committee heard that these collaborative agreements are necessary and important, as long as the First Nations are meaningfully engaged at the time they are negotiated.[23] The Committee believes that Indigenous Services should always establish tripartite agreements in order to promote equal partnerships between First Nations, provinces and territories, and the federal government.

On reserve, through these service agreements with Indigenous Services, many provinces and territories assume responsibility for emergency response and recovery services such as evacuations. In some instances, where agreements are not in place, third party service providers such as the Canadian Red Cross provide these services (e.g. Manitoba). The role of the federal government as it relates to emergency management on reserve is to provide reimbursement for eligible costs incurred, both to the First Nations and the provincial, territorial and third party service organizations. The federal government also provides First Nation communities with support for emergency management preparation and mitigation.

While First Nations responsibilities are not specifically set out in legislation,[24] First Nations governments are responsible "for using all available local resources to respond"[25] to an on-reserve emergency. They are on the front line for any response to an on-reserve emergency. If an emergency is beyond a community's capacity to respond, as per current practice, First Nations must notify Indigenous Services and provincial or territorial emergency management officials.[26]

Different levels of government may be called upon to play a role during on-reserve emergencies. Some witnesses emphasized that it creates confusion which in turn

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21 Based on the information provided by the department in March 2018.

22 INAC, *National On-reserve Emergency Management Plan*.

23 INAN, *Evidence*, 7 November 2017, 1135 (Richard Kent, Commissioner, Emergency and Protective Services, Saskatchewan First Nation Emergency Management); 1215 (Jeff Eustache, Manager, Forest Fuel Management Department, First Nations' Emergency Services Society).

24 INAC, *National On-reserve Emergency Management Plan*.

25 INAC, *Roles and Responsibilities during Emergencies*.

26 Ibid.

generates major problems throughout the different stages of emergency management.[27] For instance, the St. Theresa Point First Nation explained that at the time of the summer 2017 wildfires, "the evacuees did not know who was responsible to help."[28] What the Committee heard echoed what the OAG concluded in its 2013 report: the "responsibility for emergency management on reserves among stakeholders is unclear."[29] It becomes even more unclear when non-governmental organizations, such as the Canadian Red Cross, are brought in at the time of an emergency. Thus, the Committee recommends:

Recommendation 1

That Indigenous Services Canada, recognizing First Nations as equal partners, work with them and provinces and territories through trilateral agreements to clarify the various roles and responsibilities regarding emergency management in First Nation communities.

EMERGENCY MANAGEMENT

A. Introduction

During its study, the Committee heard that "First Nations are not well protected to face emergencies and disasters in order to limit the harm and cost to their communities."[30] On the issue of emergency management, witnesses focused mainly on preparedness, response and recovery, which will be discussed in the section that follows.

B. Preparedness

Preparing for future events is cost-effective. According to the federal government and the Canadian Red Cross, each dollar invested in preparedness and prevention saves four dollars in response and recovery.[31] However, the Committee heard that financial

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27 INAN, *Evidence*, 21 November 2017, 1215 (Grand Chief Jerry Daniels); INAN, *Evidence*, 5 December 2017, 1200 (Chief Ryan Day, Bonaparte Indian Band); INAN, *Evidence*, 8 February 2018, 1610 (Kellyann Meloche, General Manager, Emergency Preparedness and Planning, Public Safety, Mohawk Council of Kahnawake).

28 Brief submitted by the St. Theresa Point First Nation, 21 January 2018.

29 Office of the Auditor General of Canada, "Chapter 6 - Emergency Management on Reserves," ***2013 Fall Report of the Auditor General of Canada***, 2013.

30 INAN, *Evidence*, 21 November 2017, 1215 (Grand Chief Jerry Daniels).

31 INAN, *Evidence*, 2 November 2017, 1235 (Serge Beaudoin); INAN, *Evidence*, 21 November 2017, 1205 (Jean-Philippe Tizi).

support for preparedness on First Nations reserves was inadequate and that there were gaps in the training of First Nations officials to respond effectively during an emergency.

a. Funding for Preparedness is Inadequate

First Nations need to be prepared and have emergency plans in place, but they also need the resources to develop, update and, most importantly, implement these plans. First Nation communities are in the best position to identify what threats they face[32] and "they know what's best for their community."[33] Witnesses agreed that preparedness is key[34] and that it is to the responsibility of each community.[35] The Committee agrees and believes that Canada would do well to be more proactive and invest more in preparedness activities in First Nation communities.

First Nations representatives were loud and clear: funding for emergency preparedness is at best inadequate, at worst non-existent. According to Chief Peter Beatty of the Peter Ballantyne Cree Nation in Saskatchewan, wildfire preparedness involves high costs that current funding models do not cover: "Both health services and the band are mandated to have emergency response plans in place. However, no funding is allocated to this."[36] Witnesses from British Columbia also said that no funding was provided to develop emergency plans[37] and that implementing these plans suffered as a result.[38]

In its 2013 report, the OAG pointed out that Emergency Management Assistance Program funding was focused on response and recovery activities,[39] an observation confirmed by Grand Chief Jerry Daniels of the Southern Chiefs' Organization Inc.[40] In January 2017, the department stated that, since 2013, it has been "increasing investments in First Nation non-structural mitigation and preparedness projects."[41]

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32 INAN, *Evidence*, 2 November 2017, 1225 (Serge Beaudoin); INAN, *Evidence*, 21 November 2017, 1220 (Grand Chief Jerry Daniels).

33 INAN, *Evidence*, 7 November 2017, 1130 (Richard Kent).

34 Ibid.

35 INAN, *Evidence*, 21 November 2017, 1145 (Jean-Philippe Tizi).

36 INAN, *Evidence*, 7 November 2017, 1110 (Chief Peter Beatty).

37 INAN, *Evidence*, 5 December 2017, 1215 (Chief Ann Louie, Williams Lake Indian Band).

38 INAN, *Evidence*, 5 December 2017, 1210 (Chief Ryan Day).

39 Office of the Auditor General of Canada "Chapter 6 – Emergency Management on Reserves," ***2013 Fall Report of the Auditor General of Canada***, 2013.

40 INAN, *Evidence*, 21 November 2017, 1215 (Grand Chief Jerry Daniels).

41 INAC, *Audit of the Emergency Management Assistance Program*, 2017, p. 2.

However, what the Committee heard would suggest that more work needs to be done in this area. The Committee believes that Indigenous Services should increase its funding for preparedness activities to mitigate the risk of emergencies and decrease the costs associated with response and recovery. Therefore, the Committee recommends:

Recommendation 2

That Indigenous Services Canada, in cooperation with First Nations, review its Emergency Management Assistance Program to ensure that funding provided addresses the actual needs of First Nations; that in so doing, the department also ensure that sufficient funding is allocated for emergency preparedness activities, such as developing, updating and implementing emergency response plans.

b. Training Activities Are Essential for Preparedness

Capacity building and training are essential components of preparedness. Capacity building involves training community members so that they know how to respond during an emergency as well as training and accrediting Indigenous emergency management officials. Ensuring that qualified officials are given the appropriate training in First Nation communities would build capacity so that First Nations are equipped to respond during an emergency.[42]

Without appropriate training, it will be difficult for Indigenous emergency responders to use their equipment during an emergency response. As Kellyann Meloche, General Manager of Emergency Preparedness and Planning at the Mohawk Council of Kahnawake, explained, "it's nice to have the truck, but if you don't have the training and knowledge to use it, it's useless."[43] According to Grand Chief Edward John of the First Nations Summit, "In [the] communities ... the training is sporadic."[44] Richard Kent of Saskatchewan First Nations Emergency Management agrees: "We need to do a lot more training with the communities."[45]

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42 INAN, *Evidence*, 7 November 2017, 1105; 1120 (Richard Kent).

43 INAN, *Evidence*, 8 February 2018, 1655 (Kellyann Meloche).

44 INAN, *Evidence*, 23 November 2017, 1220 (Grand Chief Edward John, Political Executive Member, First Nations Summit).

45 INAN, *Evidence*, 7 November 2017, 1155; 1120 (Richard Kent).

C. Response

Witnesses also spoke about problems during the response phase. They said that the problems were due to a lack of federal, provincial and First Nations coordination, and to the fact that First Nations expertise and culture are not considered during emergencies. Further, the Committee heard that direct response and evacuations have been problematic.

a. First Nations Are Excluded from Coordination Activities

As indicated above, a number of responders are involved during an emergency on First Nations reserves, meaning that any action must be coordinated and consistent. However, First Nations representatives said that during the summer 2017 wildfires, they "were left out of the loop."[46] Witnesses observed they were completely forgotten by the federal and provincial governments.[47] Chief Randall Phillips of the Oneida Nation of the Thames explained that this has occurred during other emergencies, like when First Nation communities were left out of the planning efforts during the severe acute respiratory syndrome (SARS) outbreak in the early 2000s.[48]

According to Viola Thomas, whose community was not in contact with the federal or provincial governments during the May 2017 flooding,[49] "[t]o exclude First Nations in that way is putting all of our lives in danger."[50] Ms. Thomas added that:

> There's a real need for effective coordination and communication, both from Canada and B.C., to work with First Nation communities to better respond and coordinate our efforts for the safety and protection of all human beings, regardless of residency or race.[51]

The Committee also believes that excluding First Nations from decision-making and coordination hinders emergency management efforts. According to First Nations witnesses, other governments continue to believe that First Nations leaders do not know

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46 INAN, *Evidence*, 5 December 2017, 1245 (Chief Ronald E. Ignace).

47 INAN, *Evidence*, 5 December 2017, 1150 (Chief Ann Louie); 1155 (Chief Ryan Day).

48 INAN, *Evidence*, 8 February 2018, 1610 (Chief Randall Phillips, Oneida Nation of the Thames).

49 INAN, *Evidence*, 9 November 2017, 1120 (Viola Thomas, Councillor, Tk'emlúps te Secwépemc).

50 INAN, *Evidence*, 9 November 2017, 1145 (Viola Thomas).

51 INAN, *Evidence*, 9 November 2017, 1120 (Viola Thomas).

what they are doing or that they "don't have the wherewithal to make good decisions."[52] Yet it is the Chiefs and Band Councils who have the authority to declare a state of emergency or to order a reserve to be evacuated. They are also the ones who best know their communities and their needs.

According to Grand Chief John, "It's in our interest to work together in the face of disasters like this, because that fire shows no distinction to anybody."[53] This begins with better coordination and recognition of the authority of Chiefs and Band Councils. Chief Beatty emphasized:

> It's very important that we become engaged in any of those strategies to address emergencies, whether it's fires, flooding, or whatever. It is very important that we have input into any kind of management strategy for fires and the suppression of those fires. ... a lot of us in our communities have a lot of knowledge and experience in dealing with that.[54]

The initial response is local. Local officials are the first ones able to respond and "[they] know best who they can rely on for the execution of a response plan. [They] also know best what the sheltering needs are and what the possibilities are ..."[55] The Committee recognizes that First Nations are in the best position to coordinate and direct local response, and that they must be engaged and involved at all levels if they are not leading the response. Further, since it is difficult to apply a once-size-fits-all approach to all communities given that each one is different, it would make sense to consult them in order to tailor the response to their needs. Therefore, the Committee recommends:

Recommendation 3

That Indigenous Services Canada, through tripartite agreements, ensure that emergency service providers, where feasible, engage, train and employ local workforce from the communities for fire prevention and fire suppression, and that financial compensation is provided.

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52 INAN, *Evidence*, 23 November 2017, 1145 (Chief Joe Alphonse, Tribal Chairman, Tsilhqot'in National Government); 1235 (Grand Chief Edward John).

53 INAN, *Evidence*, 23 November 2017, 1250 (Grand Chief Edward John).

54 INAN, *Evidence*, 7 November 2017, 1150 (Chief Peter Beatty).

55 INAN, *Evidence*, 21 November 2017, 1220 (Grand Chief Jerry Daniels).

b. First Nations Expertise and Culture Should Be Taken into Account

Many witnesses told the Committee that First Nations have expert knowledge that can be put to good use during emergencies. First Nations citizens are very familiar with the valleys and the land where they live. They have knowledge about fire behaviour and other related information that would be "vital to dealing with fires."[56] Chief Day believes that this knowledge about the environment and landscape means that First Nations citizens are the most valuable assets for fighting wildfires.[57]

Regarding wildfires, these communities "know exactly where the fires are going to burn from, when the winds change, what the water conditions are like. [They] have all that local history that is not documented in these [emergency] plans."[58] Yet, according to Chief Joe Alphonse, First Nations firefighters were replaced by firefighters from other countries such as Mexico and Australia in the summer of 2017[59] and "the people who come from [the affected] areas and who know their lands and territories were completely disregarded."[60] The contribution of these firefighters who travelled great distances to protect Canadian communities is of critical value. Canadians are grateful for their help. However, Chief Louie told the Committee that the First Nations were not consulted when it was decided to bring in foreign firefighters.[61] The Committee also heard that non-Indigenous responders ran into difficulties since they were strangers to the communities and unfamiliar with the physical environments.[62]

The Committee believes that it would be in everyone's interest to recognize the value of First Nation communities' perspectives and to incorporate local knowledge into emergency management activities on reserves. The Committee believes that the local expertise of First Nations with respect to forestry and fire management should be a key element of coordinated response planning. For these reasons, the Committee recommends:

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56 INAN, *Evidence*, 7 November 2017, 1250 (Jeff Eustache); INAN, *Evidence*, 23 November 2017, 1155 (Chief Joe Alphonse); 1215 (Grand Chief Edward John).

57 INAN, *Evidence*, 5 December 2017, 1200 (Chief Ryan Day).

58 INAN, *Evidence*, 7 November 2017, 1250 (Curtis Dick, Fire Services Officer, First Nations' Emergency Services Society).

59 INAN, *Evidence*, 23 November 2017, 1155 (Chief Joe Alphonse).

60 INAN, *Evidence*, 23 November 2017, 1205 (Grand Chief Edward John).

61 INAN, *Evidence*, 5 December 2017, 1210 (Chief Ann Louie).

62 INAN, *Evidence*, 21 November 2017, 1220 (Grand Chief Jerry Daniels).

Recommendation 4

That Indigenous Services Canada support local collaboration efforts between First Nation and non-First Nation communities to identify a systematic approach to ensuring First Nations expertise and knowledge of lands and fire behaviour is shared with emergency service providers during and leading up to a response.

Further, witnesses noted that when non-Indigenous responders are involved in emergency response, First Nations should be provided with respectful and culturally appropriate services. For Ms. Blain, non-Indigenous organizations such as the Canadian Red Cross and Emergency Management BC "needed a First Nation 101 training on what it's really like, because the comments people were making suggested they had never set foot on a reserve before."[63] Therefore, the Committee recommends:

Recommendation 5

That Indigenous Services Canada require tripartite agreements to include training for key staff on traditional cultures and practices in order to ensure that high-quality and culturally appropriate services are delivered; and in jurisdictions where the federal government is not involved in an emergency response, encourage those leading the efforts to engage with local First Nations to provide necessary training.

c. Direct Response During Wildfires Comes Too Late

According to Chief Beatty, it took a long time for action to be taken in response to this summer's wildfires. He believes that "[t]he impacts to the communities would have been minimized if the original small fires had been controlled earlier."[64] The Chief reported that he felt Saskatchewan has a "let it burn" policy: "In our view, in practice, that is what it is – letting it burn to a point that it becomes a threat and then you try to action it."[65]

According to witnesses, the current approach to emergency response is reactive rather than proactive. Chief McDougall explained that "most fires near Aboriginal communities are left to burn out, according to the laws of nature, and no action is taken to monitor or avert the possible outbreak in these sections. ... They wait until [fires] escalate."[66]

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63 INAN, *Evidence*, 28 November 2017, 1205 (Jodene Blain, Band Administrator, Ashcroft Indian Band).

64 INAN, *Evidence*, 7 November 2017, 1110 (Chief Peter Beatty).

65 INAN, *Evidence*, 7 November 2017, 1145 (Chief Peter Beatty).

66 INAN, *Evidence*, 9 November 2017, 1155 (Chief David McDougall, St. Theresa Point First Nation).

It appeared to witnesses that the government will only take direct action when infrastructure is threatened, and that the approach is to "manage" rather than "fight" fires.[67]

d. Evacuations Are Conducted in a Manner Insensitive to First Nations Realities

Some witnesses, particularly in Manitoba, were also critical of the way evacuations are conducted and the poor accommodations available for First Nations evacuees. Witnesses described unacceptable conditions at the shelters, where "supplies of basic necessities ... were horribly inadequate."[68] As Grand Chief Jerry Daniels stated,

> You have to look at when you're removed from the community where you're going to stay. In this instance, we had thousands of our people at the RBC centre. They were on cots. Many of our Elders were on cots. The province at the time, we believe, should have declared a state of emergency to open up hotels for our Elders, so that our Elders were not staying in big large dorms. It's things like that the community had very big concerns with in terms of having all of its young people in a big huge facility.[69]

Witnesses also expressed concerns about the safety of vulnerable groups, the length of stays, sanitation, the lack of space to practise traditional activities and prepare traditional foods, and the lack of comfort for Elders and expectant mothers.[70] Witnesses were further concerned by the fact that when shelters are full families occasionally end up being separated,[71] which can impact communities and make the evacuation harder for them.[72] As Judy Klassen mentioned,

> Elders and prenatals were not placed near bathrooms. Exhausted mothers were chastised when their children ran freely as they were looking for something to do. We lost children within the building, and the security would not lock down the building for us so that we could locate these kids who went running freely. One child even managed

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67 INAN, *Evidence*, 7 November 2017, 1140 (Chief Peter Beatty).

68 Brief submitted by the St. Theresa Point First Nation, 21 January 2018.

69 INAN, *Evidence*, 21 November 2017, 1235 (Grand Chief Jerry Daniels).

70 INAN, *Evidence*, 7 November 2017, 1115 (Chief Peter Beatty); INAN, *Evidence*, 9 November 2017, 1225 (Judy Klassen, Member of the Legislative Assembly of Manitoba, Kewatinook, As an Individual); Brief submitted by the St. Theresa Point First Nation, 21 January 2018.

71 INAN, *Evidence*, 7 November 2017, 1150 (Richard Kent).

72 Brief submitted by the St. Theresa Point First Nation, 21 January 2018.

> to get on a city bus. Luckily by evening, within four hours, she was located and returned to the centre.[73]

The Committee heard that the evacuations brought back painful memories for some people, including Elders. In particular, witnesses from British Columbia and Manitoba said that the way the evacuations are conducted triggered the traumatic memories of being taken away to residential schools and/or the "sixties scoop."[74] According to Chief Tammy Cook-Searson of the Lac La Ronge Indian Band, it reminded people of "when they were forced onto buses, separated from families, waited in long lines, took instruction from strange authorities, and bunked in congregate shelters."[75] Chief Alphonse also claimed that, during the summer 2017 wildfires, officers from the Royal Canadian Mounted Police threatened to remove children from their community if the adults refused to evacuate.[76]

The Committee also heard of lack of mental health resources to First Nations people being housed at the shelter. This included one individual with a mental illness who required one on one supervision and treatment that was not provided, leading to escalated issues including getting lost on multiple occasions in the city of Winnipeg.[77]

Recognizing these problems, the Committee believes that greater consideration must be given to cultural and social issues likely to make evacuating and accommodating evacuees less difficult. For instance, Dr. Laurence Pearce explained that "culture provides protection and security, a buffer from trauma."[78] Yet, the Committee learned that in some cases "staff at the shelters were not familiar with Indigenous cultures and communities" and that "a lack of cultural understanding was a problem throughout the evacuations."[79] The Committee believes that to the extent possible, evacuations should avoid group shelters and families should be kept together. Further, First Nations should be consulted during evacuations. For these reasons, the Committee recommends:

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73 INAN, *Evidence*, 9 November 2017, 1225 (Judy Klassen).

74 INAN, *Evidence*, 23 November 2017, 1100 (Chief Joe Alphonse); INAN, *Evidence*, 5 December 2017, 1240 (Chief Tammy Cook-Searson); INAN, *Evidence*, 6 February 2018, 1600 (Dr. Laurence Pearce, Researcher, as an individual).

75 INAN, *Evidence*, 5 December 2017, 1240 (Chief Tammy Cook-Searson).

76 INAN, *Evidence*, 23 November 2017, 1110 (Chief Joe Alphonse).

77 Brief submitted by the St. Theresa Point First Nation, 21 January 2018.

78 INAN, *Evidence*, 6 February 2018, 1600 (Dr. Laurence Pearce).

79 Brief submitted by the St. Theresa Point First Nation, 21 January 2018.

Recommendation 6

That Indigenous Services Canada, through tripartite agreements:

- **Require that one or more resource person(s) be identified to assist with the registration of evacuees and to highlight their specific needs;**
- **Ensure that a contact person be available throughout an evacuation to respond to emerging needs or concerns, which could include but not be limited to translation services, medical care and mental health supports;**
- **Ensure that all pertinent information be communicated with relevant contacts from a First Nation community.**

Another problematic issue is connectivity to cellular and broadband internet networks in First Nation communities. For rural and remote communities, such communication tools are not always accessible. Yet, the absence or lack of telecommunications infrastructure can lead to various problems during an emergency. For example, it makes it harder to get messages out to the affected populations or to coordinate efforts. According to Mr. Al Richmond, Chair of the Cariboo Regional District, "communication is one of our biggest challenges with the really rural areas, so we need help on broadband and cellular service."[80] For these reasons, the Committee recommends:

Recommendation 7

That Innovation, Science and Economic Development Canada, recognizing the growing importance of broadband and cellular telecommunications infrastructure in delivering emergency response measures, and given the existing gaps in such infrastructure in rural and Indigenous communities across Canada, evaluate new mechanisms that will enable an accelerated deployment of such infrastructure in emergency situations facing Indigenous communities.

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80 INAN, *Evidence*, 9 November 2017, 1255 (Al Richmond, Chair, Cariboo Regional District).

D. Recovery

Once emergencies and evacuations are over, their effects continue to be felt by communities[81] as it can take years for life to return to normal.[82] The impacts of emergencies range from psychosocial trauma to lost economic opportunities. During its study, the Committee also heard that First Nation communities experience challenges in obtaining full and timely reimbursement from federal programs for expenses incurred, which in turn affects rebuilding efforts.

a. Emergencies Have Social and Health Impacts

Disasters and emergency response measures have significant health impacts on the people affected. Mr. Kent pointed out a sad irony: "[T]he disaster of which many residents spoke pertains not to the threat of wildfire, but to the efforts to protect them from it."[83] In his view, the social and cultural impacts of the emergency measures are "greater than the impact of the actual emergency, the fire."[84] Ms. Thomas said that "we need to ensure that there is adequate trauma counselling provided"[85] following an emergency response. In addition, the Canadian Red Cross acknowledged the need to increase "support for mental and emotional well-being for people suffering from the psychosocial impact of evacuation."[86]

Other witnesses discussed the impact that wildfires have on the First Nations' food security and sources of traditional food, making the situation even more difficult for communities.[87] For example, Ms. Thomas said that the wildfires killed off many animals, affecting families who rely on hunting and fishing for sustenance.[88]

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81 INAN, *Evidence*, 7 November 2017, 1215 (Blaine Wiggins, Executive Director, Aboriginal Firefighters Association of Canada); INAN, *Evidence*, 6 February 2018, 1600 (Dr. Laurence Pearce).

82 INAN, *Evidence*, 5 December 2017, 1150 (Chief Ann Louie).

83 INAN, *Evidence*, 7 November 2017, 1105 (Richard Kent, quoting Prof. James Waldram of the University of Saskatchewan).

84 INAN, *Evidence*, 7 November 2017, 1150 (Richard Kent).

85 INAN, *Evidence*, 9 November 2017, 1205 (Viola Thomas).

86 INAN, *Evidence*, 21 November 2017, 1135 (Jean-Philippe Tizi).

87 INAN, *Evidence*, 5 December 2017, 1155 (Chief Ryan Day); 1250 (Chief Ronald E. Ignace).

88 INAN, *Evidence*, 9 November 2017, 1145 (Viola Thomas).

b. Wildfires Harm Local Industries and the Local Economy

The summer 2017 wildfires also had significant economic impacts. For example, these disasters disrupt the implementation of land use plans, since the area is completely devastated. Chief Alphonse said that his community, which had developed its own land use plan so it could attract future development, had to start all over again.[89] The wildfires also delayed development projects, decreased land values and created challenges for attracting businesses to the area.[90] The tourism industry was also negatively affected.[91]

The wildfires have been particularly harmful to the logging industry, affecting resources as well as forest hydrology and drainage. Grand Chief John said that it would take "generations to repair this."[92] The Ashcroft Indian Band is also facing challenges in this domain: "Because of the fire, the province has halted [a timber harvest project], and in the meantime, our forestry licence is expiring. It's a significant amount of money that our First Nation is out. We're talking about half a million dollars."[93]

c. First Nations Are Having Problems with Reimbursement

Under various Indigenous Services programs, First Nations can claim certain expenses incurred during an emergency. The department said that First Nations can be reimbursed "up to 100% of eligible response and recovery costs, including costs of evacuations" and that "eligibility is determined according to the program's terms and conditions."[94] However, the Peter Ballantyne Cree Nation stated that "even standard expenditures have no guarantee of reimbursement"[95] and that "standard or routine ... covered services ... are not clearly identified and appear ad hoc in approvals and delivery."[96]

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89 INAN, *Evidence*, 23 November 2017, 1125 (Chief Joe Alphonse).

90 INAN, *Evidence*, 5 December 2017, 1150 (Chief Ann Louie).

91 Ibid.

92 INAN, *Evidence*, 23 November 2017, 1225 (Grand Chief Edward John).

93 INAN, *Evidence*, 28 November 2017, 1210 (Jodene Blain).

94 INAN, *Evidence*, 2 November 2017, 1100 (Serge Beaudoin).

95 Brief submitted by the Peter Ballantyne Cree Nation, 7 November 2017.

96 Ibid.

The claims process appears to be an obstacle for community rebuilding efforts: "It's been two steps forward and five steps back with the rebuild. It's been very challenging. ... We still haven't gotten any money from [the department] yet. We're waiting to get that."[97] Some witnesses said they were not being reimbursed for the actual costs claimed. According to Chief McDougall, his First Nation was reimbursed for only $71,000 of the $121,000 claimed: "Where do we get the rest of the $50,000? I guess we have to eat that up from our existing budgets that are already strained."[98] Similarly, Chief Alphonse indicated that his First Nation was reimbursed $840,000 after spending $3.1 million on the summer 2017 wildfires.[99] The situation is the same for other types of emergencies. For example, the federal government only covered half of the expenses after the Six Nations of the Grand River had to respond to a hazardous waste fire a few years ago.[100] First Nations are having trouble getting reimbursed even for the most standard expenses, such as those associated with community security, local fire suppression, and maintaining the sustenance and supply chain for essential services.[101] Healthcare workers and community agency staff working at evacuation sites are also an unfunded cost.[102]

Not only were the repayments inadequate, but one witness indicated that other stakeholder groups received better compensation for economic losses.[103] Yet, as Grand Chief Daniels said, "The rebuilding of [First Nations] communities is at the heart of the reconciliation process."[104] Given Canada's commitments to achieving reconciliation with Indigenous peoples, the Committee believes that the government should pay special attention to the issues raised by the witnesses, issues that hinder the recovery and rebuilding efforts. Recognizing that current funding levels lead many First Nations to absorb the costs of managing emergencies in their communities and that the department itself believes that its staff working in regional offices "lack the capacity and

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97 INAN, *Evidence*, 28 November 2017, 1200 (Jodene Blain).

98 INAN, *Evidence*, 9 November 2017, 1135 (Chief David McDougall).

99 INAN, *Evidence*, 23 November 2017, 1120 (Chief Joe Alphonse).

100 INAN, *Evidence*, 6 February 2018, 1550 (Chief Ava Hill, Six Nations of the Grand River).

101 INAN, *Evidence*, 7 November 2017, 1110 (Chief Peter Beatty).

102 Brief submitted by the Peter Ballantyne Cree Nation, 7 November 2017.

103 INAN, *Evidence*, 5 December 2017, 1310 (Chief Ronald E. Ignace).

104 INAN, *Evidence*, 21 November 2017, 1215 (Grand Chief Jerry Daniels).

skill sets to effectively and efficiently manage emergency response claims processes,"[105] the Committee recommends:

Recommendation 8

That Indigenous Services Canada clarify the claims process and criteria for emergency response and recovery expenses on reserve; and that the department provide greater support to regional offices to expedite the timely reimbursement of claims; further, that the department clarify the claims process and criteria for expenses incurred by First Nations that provide emergency support services to non-First Nation communities, and that claims be reimbursed in a timely manner.

d. Recent Developments in British Columbia

Since it concluded its public hearings, the Committee has been pleased to learn of a tripartite collaborative emergency management agreement between the Tsilhqot'in Nation, Canada and British Columbia in April 2018. This new agreement recognizes the Tsilhqot'in Nation and its communities as "true partners and leaders in emergency management." Among other things, this agreement aims at "identify[ing] and address[ing] potential strategic operational and jurisdictional gaps, issues and opportunities for improvement."[106] It also aims at "identify[ing] recommendations to streamline and simplify processes for reimbursement of response and recovery costs."[107] The Committee hopes this new development will give rise to a more collaborative approach to emergency management across the country.

On 30 April 2018, the British Columbia Flood and Wildfire Review presented its final report examining and assessing the government's response to the 2017 flood and wildfire events. According to this independent review commissioned by the Government of British Columbia, this particularly intense flood and wildfire season "confirmed the need for more extensive partnerships with local and First Nations governments, rural and remote communities and industry."[108] The Committee concurs and believes many of the 108 recommendations included in this report could help Canada, the provinces and

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105 INAC, *Audit of the Emergency Management Assistance Program*, 2017, p. 22.

106 Canada, Tsilhqot'in National Government and British Columbia, *Collaborative Emergency Management Agreement*.

107 Ibid.

108 BC Flood and Wildfire Review, *Addressing the New Normal: 21st Century Disaster Management in British Columbia*, April 2018.

territories, and the First Nations in developing these more extensive partnerships. Thus, the Committee recommends:

Recommendation 9

That Indigenous Services Canada, in cooperation with First Nation communities and the provincial government in British Columbia, review recommendations in the recently-published report, *Addressing the New Normal: 21st Century Disaster Management in British Columbia*, and develop an action plan for implementation.

FIRE SAFETY

A. Introduction

Some of the issues related to emergency management resurfaced regarding fire safety on reserves. The Committee heard that First Nation communities are not properly equipped to prevent life-threatening and devastating fires and often do not have proper fire protection services. During its study, the Committee heard of far too many tragedies, such as the house fire in the Pikangikum First Nation in March 2016, when three generations of one family died.[109] Tragedies such as this one have led First Nations organizations to call for change to reduce the high incidence of fires on-reserve.

Witnesses referred to a 2007 report from the Canada Mortgage and Housing Corporation,[110] which found that the per capita fire incidence rate is 2.4 times higher in First Nation communities than in the rest of the country, and loss of life due to fire is 10 times higher.[111] Although this report is now over a decade old, Deputy Fire Chief Sean A. Tracey does not believe that the "fire loss trend has improved in any way whatsoever" since then.[112]

Testimony on fire safety focused mainly on prevention, Indigenous Services' funding model, and the lack of standards and data collection related to fires. Witnesses identified various problems that contribute to the risk of fire and other tragedies in First

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109 INAN, *Evidence*, 5 December 2017, 1255 (Grand Chief Alvin Fiddler).

110 Canada Mortgage and Housing Corporation, *Fire Prevention in Aboriginal Communities*, 2007.

111 INAN, *Evidence*, 5 December 2017, 1255 (Grand Chief Alvin Fiddler, Nishnawbe Aski Nation); INAN, *Evidence*, 6 February 2018, 1545 (Chief Ava Hill); 1610 (Allan Peters, Fire Chief and President, Atlantic Aboriginal Firefighters Association); INAN, *Evidence*, 8 February 2018, 1635 (Sean A. Tracey, Deputy Chief, Canadian Association of Fire Chiefs).

112 INAN, *Evidence*, 8 February 2018, 1720 (Sean A. Tracey).

Nation communities. For example, building inspection regimes are inconsistent or simply non-existent, and there are no means of enforcing compliance. In addition, the lack of smoke detectors, extinguishers and response equipment in many communities means that fires spread quickly.[113] According to the Nishnawbe Aski Nation (NAN), "[t]he lack of firefighting services and substandard housing in NAN communities is a deadly combination that has claimed too many lives."[114]

In light of this situation, Indigenous Services released an updated strategy in May 2016, the Joint First Nations Fire Protection Strategy 2016-2021. It places greater emphasis on partnerships, fire prevention education and the development of standards. However, NAN has noted that the policy was developed without input from First Nations organizations, and its one-size-fits-all approach is poorly suited to the different realities of First Nation communities.[115]

B. Prevention and Public Education Save Lives

Representatives from both the federal government and Indigenous groups recognized the important role of public education programs and fire prevention on reserve.[116] Both prevention and public education can help save lives. As Mr. Tracey explained, they "are the cornerstones of any loss reduction program."[117] Yet, the Committee heard that not all communities carry out prevention activities or even have public education programs. According to Blaine Wiggins, Executive Director of the Aboriginal Firefighters Association of Canada, "there is a lack of fire prevention, and a lack of focus on fire prevention."[118] For instance, NAN officials said that schools in some of the communities they represent have never carried out a fire drill.[119]

In order to address similar issues, NAN chiefs launched the Amber's Fire Safety Campaign in May 2016. The campaign is named after Amber Strang, who was only five months old when she died in a fire in Pikangikum. The campaign is based on four pillars

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113 Brief submitted by the Nishnawbe Aski Nation, 5 December 2017.

114 Ibid.

115 Brief submitted by the Nishnawbe Aski Nation, 5 December 2017.

116 INAN, *Evidence*, 2 November 2017, 1105 (Serge Beaudoin); INAN, *Evidence*, 7 November 2017, 1245 (Arnold Lazare, President, Aboriginal Firefighters Association of Canada).

117 INAN, *Evidence*, 8 February 2018, 1635 (Sean A. Tracey).

118 INAN, *Evidence*, 7 November 2017, 1210 (Blaine Wiggins).

119 INAN, *Evidence*, 5 December 2017, 1300 (Michael McKay, Director, Housing and Infrastructure, Nishnawbe Aski Nation).

(awareness, training, partnerships and capacity building) and its long-term objectives are to equip homes in NAN First Nations with fire extinguishers, increase fire safety awareness and education, and develop a comprehensive fire protection plan.[120] In the short term, the campaign aims to equip each home in NAN territory with a smoke detector and fire extinguishers. In 2016–2017, a total of 1,048 smoke detectors were distributed through Amber's Fire Safety Campaign.

While smoke detectors are not a cure-all, they are part of a package of preventive measures and help to save lives by giving people more time to escape. Mr. Tracey believes that the minimum in terms of fire prevention and public education should be for communities to focus on working smoke detectors.[121] Indigenous Services officials also emphasized the importance of smoke detectors.[122] The Committee was pleased to hear that the First Nations Emergency Services Society in British Columbia was also distributing thousands of smoke alarms and fire extinguishers to First Nation communities.[123]

The Committee recognizes that the threat of fire is an everyday reality in First Nation communities. That is why solutions must be comprehensive and sustainable. The Committee believes that preventive measures and public education programs such as Amber's Fire Safety Campaign, developed by NAN, are promising. Canada has an interest in supporting such initiatives and encouraging other First Nations or First Nations organizations to take similar steps. Therefore, the Committee recommends:

Recommendation 10

That Indigenous Services Canada allocate additional resources for First Nations to develop and implement fire prevention campaigns, such as Amber's Fire Safety Campaign from the Nishnawbe Aski Nation.

C. Funding of First Nations Fire Services

First Nations are responsible for managing fire protection services on reserve[124] and "are pretty much on their own with the funding that Indigenous Services provides."[125]

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120 Brief submitted by the Nishnawbe Aski Nation, 5 December 2017.

121 INAN, *Evidence*, 8 February 2018, 1635 (Sean A. Tracey).

122 INAN, *Evidence*, 2 November 2017, 1105 (Serge Beaudoin).

123 INAN, *Evidence*, 7 November 2017, 1245 (Curtis Dick).

124 INAN, *Evidence*, 2 November 2017, 1105 (Serge Beaudoin).

Indigenous Services distributes capital funding once a year to First Nations that "prioritize their spending to meet the needs of their communities including fire protection services." [126] Chiefs and band councils are responsible for managing these services and deciding how to use Indigenous Services funding. For example, they "may choose to establish their own fire prevention services, or may contract fire protection services from nearby communities." [127] The Committee heard that First Nations fire services suffer from underfunding and struggle to obtain the resources necessary to protect their communities. [128] Without adequate fire protection funding, they often struggle to buy new equipment, and to hire and train new firefighters. [129]

The problems caused by inadequate funding are further exacerbated in remote and semi-remote areas of the country, where the accessibility of training and equipment is already limited. Craig Lingard, Coordinator of the Civil Security Section of the Kativik Regional Government in Northern Quebec, explained that the isolation and remoteness of their communities mean they need to rely on themselves and optimize their resources even more. [130] For instance, Fire Chief Timothy Saganash Stringer, also from Northern Quebec, explained that without roads, some communities have to send their equipment by boat for repairs, a process that can take up to four months. [131] According to Matt Miller, Fire Chief of the Six Nations Fire and Emergencies Services, the costs associated with isolation and remoteness need to be addressed when looking at basic funding requirements. [132]

a. Current Funding Model is Inadequate

Since 2008–2009, Indigenous Services has provided more than $27 million annually for capital investments, operating and maintenance costs, and firefighting training in First

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125 INAN, *Evidence*, 2 November 2017, 1215 (Lyse Langevin, Director General, Community Infrastructure Branch, Department of Indian Affairs and Northern Development).

126 INAC, *Supporting Fire Safety*.

127 INAC, *Joint First Nations Fire Protection Strategy*.

128 INAN, *Evidence*, 6 February 2018, 1550 (Chief Ava Hill); 1610 (Allan Peters).

129 INAN, *Evidence*, 6 February 2018, 1550 (Chief Ava Hill); 1730 (Mr. Franklin Condo, Director of Public Safety, Micmacs of Gesgapegiag).

130 INAN, *Evidence*, 8 February 2018, 1645 (Craig Lingard, Coordinator, Civil Security Section, Kativik Regional Government).

131 INAN, *Evidence*, 6 February 2018, 1655 (Timothy Saganash Stringer, Fire Chief, Cree First Nation of Waswapani Fire Department).

132 INAN, *Evidence*, 6 February 2018, 1640 (Matt Miller, Fire Chief, Six Nations Fire and Emergency Services).

Nation communities.[133] NAN noted that when "the funding was split across 634 First Nation communities across Canada, each community received $42,655 annually to maintain all aspects of fire prevention services."[134] At this current level, the funding received from Indigenous Services is insufficient, and some communities have to resort to fundraising to support their fire services, as is true of many fire departments across the country.[135]

Under the Capital Facilities and Maintenance (CFM) Program, fire safety funding is allocated via a tiered approach: fire prevention and education; capacity building and training; and capital investments. Communities have to meet the requirements of one tier in order to receive funding for the next, meaning that they cannot receive funding for capital investments (fire protection infrastructure and equipment) unless they meet the requirements of the two previous tiers. NAN argued the current approach "hinder[s] the ability for communities to gain the maximum level of funding, which will result in unnecessary damage and lives lost."[136]

b. Funding Model Overlooks Human Capital

The CFM Program provides funding for the operation and maintenance of fire protection services, which includes capacity development and training for professionals. However, the funding model for this component is based on a formula that has not changed in years.[137] In its brief, NAN explained that funding under this component is based on a community's population, its remoteness and a "factor" of 50% of the net funding calculated. This approach puts small communities at a disadvantage.[138] NAN further stated that "the factor of 50% is grossly insufficient for any community attempting to provide fire protection training to volunteers and community members."[139]

NAN officials believe it would be advantageous to consider "funding that is needs-based instead of one that's formula-based."[140] In their view, "[f]unding should be provided to

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133 INAN, *Evidence*, 2 November 2017, 1105 (Serge Beaudoin).

134 Brief submitted by the Nishnawbe Aski Nation, 5 December 2017.

135 INAN, *Evidence*, 6 February 2018, 1550 (Chief Ava Hill).

136 Brief submitted by the Nishnawbe Aski Nation, 5 December 2017.

137 INAN, *Evidence*, 5 December 2017, 1315 (Michael McKay).

138 Brief submitted by the Nishnawbe Aski Nation, 5 December 2017.

139 Ibid.

140 INAN, *Evidence*, 5 December 2017, 1315 (Michael McKay).

support human capital, rather than capital investments," given that equipment is unusable without sufficient, trained officials in the community to operate it.[141] Greater investments in human capital would make First Nations "able to act faster when disaster strikes."[142]

D. Standards, Data Collection and the Role of an Indigenous Fire Marshal's Office

With regard to fire safety, standards include compliance with building and fire codes. Unlike municipalities, First Nations reserves are under federal jurisdiction and are not subject to provincially legislated building and fire codes. This means that each community is responsible for enforcing construction and fire safety standards.[143] As a result, standards differ greatly from one community to the next. As Keith Maracle, noted, "My colleagues in Manitoba were being treated different from the ones in Ontario and B.C. in everything, even though we were all supposedly working under the same requirements."[144]

a. Lack of Building and Fire Codes Increases the Risk of Fire

According to John Kiedrowski of the First Nations National Building Officers Association, First Nation communities lack a formal inspection system as well as some sort of checks and balances regarding constructions and renovations.[145] The lack of standards can increase the risk of fire.[146] For instance, Chief Phillips explained that the fire-related tragedies that happened in his community were not prevented at least in part because "the structures were old and very susceptible to fire."[147]

Mr. Tracey stated that the Canadian Centre for Emergency Preparedness and the National Fire Protection Association have solutions to these problems:

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141 Brief submitted by the Nishnawbe Aski Nation, 5 December 2017.

142 Ibid.

143 Ibid.

144 INAN, *Evidence*, 9 November 2017, 1135 (Mr. Keith Maracle, President, First Nations Building Officers Association).

145 INAN, *Evidence*, 9 November 2017, 1110 (John Kiedrowski, Project Manager and Consultant, First Nations National Building Officers Association).

146 INAN, *Evidence*, 2 November 2017, 1235 (Lyse Langevin).

147 INAN, *Evidence*, 8 February 2018, 1535 (Chief Randall Phillips).

> We identified, probably 10 years ago, the requirement to introduce into the National Building Code the requirement to identify and require higher standards of construction in areas that are prone to wildland-urban interface fires so that there is the proper separation, requirements, and protection for those.[148]

According to him, the Canadian Codes Commission and the home builders have no interest in implementing higher standards voluntarily, which means that the relevant changes would need to be ordered and directed by the federal government.[149]

b. The Federal Government Stopped Tracking On-Reserve Fires

The Committee was reminded by several witnesses that the federal government stopped collecting data regarding on-reserve fires in 2010.[150] Without national reporting and data collection framework, the federal government cannot know the exact death toll of on-reserve fires.[151] Ms. Meloche noted that accurate data and information may have a positive impact on prevention programs in the future.[152] Mr. Peters referred to a 2017 report by the Toronto Star according to which "at least 173 people have died in fires in First Nation communities across the country since the government stopped tracking the deaths seven years ago. At least 25 of them are children."[153]

c. An Indigenous Fire Marshal's Office Could Help with Standards and Data Collection

Witnesses told the Committee that establishing an Indigenous Fire Marshal's Office could help to ensure that standards and codes are respected and enforced over time.[154] Chief Matilda Ramjattan of Lennox Island First Nation emphasized that "having a marshal would definitely help in terms of providing some standards for fire safety in the homes and also with how we can support our staff."[155] Similarly, Franklin Condo,

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148 INAN, *Evidence*, 8 February 2018, 1700 (Sean A. Tracey).

149 Ibid.

150 INAN, *Evidence*, 6 February 2018, 1545 (Chief Ava Hill); 1610 (Mr. Allan Peters); INAN, *Evidence*, 8 February 2018, 1555 (Arnold Lazare); 1720 (Sean A. Tracey); Brief submitted by the Nishnawbe Aski Nation, 5 December 2017.

151 INAN, *Evidence*, 6 February 2018, 1545 (Chief Ava Hill).

152 INAN, *Evidence*, 8 February 2018, 1720 (Kellyann Meloche).

153 INAN, *Evidence*, 6 February 2018, 1610 (Allan Peters); Alicja Siekierska and Jesse Winter, "Fire and Death in Canada's First Nations," *Toronto Star*, 24 February 2017.

154 INAN, *Evidence*, 2 November 2017, 1200 (Lyse Langevin); INAN, *Evidence*, 7 November 2017, 1110 (Mr. Richard Kent); INAN, *Evidence*, 9 November 2017, 1140 (Mr. John Kiedrowski).

155 INAN, *Evidence*, 6 February 2018, 1720 (Chief Matilda Ramjattan, Lennox Island First Nation).

Director of Public Safety, Micmacs of Gesgapegiag, explained that First Nation communities would have no choice but to adhere to the standards created by the Indigenous Fire Marshal's Office.[156]

Most of the witnesses supported the creation of an Indigenous Fire Marshal's Office.[157] The Indigenous Fire Marshal's Office could act as a coordinator[158] and, according to Mr. Kent, it could collect data on incidents in First Nation communities[159] and support an incident reporting system.[160] Ms. Meloche further believes that First Nation communities may be more likely to share information on fire incidents with the Indigenous Fire Marshal's Office than with a federal department or organization, which they do not necessarily trust.[161]

Fire Chief John Hay of the Thunder Bay Fire Rescue stated that an Indigenous Fire Marshal's Office would be very useful, but First Nations must approve of its scope and structure.[162] Grand Chief Fiddler agreed: "What we want to insist on, though, is that we be involved in defining the function of that office. We need to be involved in the creation of that office." [163] The Committee believes that First Nation communities should be full participants in establishing the Indigenous Fire Marshal's Office so that it reflects the local needs and contexts. As First Nations fall under federal jurisdiction, and have an absence of applicable fire and buildings codes in place, the Indigenous Fire Marshal's Office could be empowered to establish standards and monitor compliance.
The Committee also firmly agrees that the office must be established for First Nations and by First Nations. Therefore, the Committee recommends:

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156 INAN, *Evidence*, 6 February 2018, 1730 (Franklin Condo).

157 INAN, *Evidence*, 7 November 2017, 1235 (Arnold Lazare); INAN, *Evidence*, 5 December 2017, 1310 (Grand Chief Alvin Fiddler); 1310 (Chief Tammy Cook-Searson); INAN, *Evidence*, 6 February 2018, 1720 (Timothy Saganash Stringer); (Chief Matilda Ramjattan); (Franklin Condo); INAN, *Evidence*, 8 February 2018, 1635 (Sean A. Tracey).

158 INAN, *Evidence*, 9 November 2017, 1140 (Keith Maracle, President, First Nations National Building Officers Association).

159 INAN, *Evidence*, 7 November 2017, 1110 (Richard Kent).

160 INAN, *Evidence*, 6 February 2018, 1625 (Matt Miller).

161 INAN, *Evidence*, 8 February 2018, 1725 (Kellyann Meloche).

162 INAN, *Evidence*, 5 December 2017, 1310 (John Hay, Fire Chief, Thunder Bay Fire Rescue).

163 INAN, *Evidence*, 5 December 2017, 1310 (Grand Chief Alvin Fiddler).

Recommendation 11

That Indigenous Services Canada, in collaboration with First Nations, establish an independent Indigenous Fire Marshal's Office in order to promote fire safety and prevention in First Nation communities including but not limited to activities such as undertaking public education and awareness campaigns, implementing standardized training for fire safety officials, developing and enforcing fire safety standards and building codes, and conducting regular building inspections; that to allow the Indigenous Fire Marshal's Office to effectively perform its role, a robust data collection system be developed and implemented; and that First Nations provide input and be informed of the progress of this initiative.

CONCLUSION

Throughout its study, the Committee heard very moving testimony concerning fire safety and emergency management on First Nations reserves. By sharing their stories, witnesses have put a human face on the statistics and illustrated the huge disparities between some First Nations reserves and the rest of Canada when it comes to managing emergencies. First Nation communities are at greater risk; yet many are unprepared or ill-equipped. Canada must close these gaps as part of the reconciliation process it has begun with Indigenous peoples.

Human lives are at stake, and the changes to federal approaches and policies cannot wait any longer. The Committee hopes that the concrete recommendations in this report will serve as a starting point for solutions that will be developed and implemented by and for First Nations. We are calling upon the federal government to ensure that First Nation communities have the resources and the support to prevent future tragedies. One preventable death is one too many.

APPENDIX A
LIST OF WITNESSES

Organizations and Individuals	Date	Meeting
Department of Indian Affairs and Northern Development	2017/11/02	81
Serge Beaudoin, Director General Sector Operations Branch, Regional Operations Sector		
Lyse Langevin, Director General Community Infrastructure Branch, Regional Operations Sector, Department of Indigenous Services Canada		
Department of Public Safety and Emergency Preparedness		
Mario Boily, Acting Director General Government Operations Centre		
Patrick Tanguy, Assistant Deputy Minister Government Operations Centre, Emergency Management and Programs Branch		
Aboriginal Firefighters Association of Canada	2017/11/07	82
Arnold Lazare, President		
Blaine Wiggins, Executive Director		
Assembly of First Nations		
Chief Peter Beatty Peter Ballantyne First Nation		
First Nations Emergency Services Society		
Curtis Dick, Fire Services Officer		
Jeff Eustache, Manager Forest Fuel Management Department		
Saskatchewan First Nation Emergency Management		
Richard Kent, Commissioner Emergency and Protective Services		
As an individual	2017/11/09	83
Judy Klassen, Member of the Legislative Assembly of Manitoba Kewatinook		

Organizations and Individuals	Date	Meeting
Cariboo Regional District	2017/11/09	83
Al Richmond, Chair		
First Nations National Building Officers Association		
John Kiedrowski, Project Manager and Consultant		
Keith Maracle, President		
St. Theresa Point First Nation		
Chief David McDougall		
Tk'emlúps te Secwépemc		
Viola Thomas, Councillor		
Canadian Red Cross	2017/11/21	84
Bill Mintram, Senior Manager Indigenous Relations, National Office		
Chief Jean-Philippe Tizi Domestic Operations, National Office		
Lake Manitoba First Nation		
Garry McLean, Elder		
Southern Chiefs' Organization Inc.		
Grand Chief Jerry Daniels		
Jolene Mercer, Director of Operations		
First Nations Summit	2017/11/23	85
Grand Chief Edward John, Political Executive Member		
Tsilhqot'in National Government		
Chief Joe Alphonse, Tribal Chairman		
Daana Gilpin, Executive Assistant		
Jody Nishima, Representative		
Ashcroft Indian Band	2017/11/28	86
Jodene Blain, Band Administrator		
Bonaparte Indian Band		
Chief Ryan Day		
Lac La Ronge Indian Band		
Chief Tammy Cook-Searson		

Organizations and Individuals	Date	Meeting
Nishnawbe Aski Nation	2017/12/05	88
Grand Chief Alvin Fiddler		
John Hay, Fire Chief Thunder Bay Fire Rescue		
Michael McKay, Director Housing and Infrastructure		
Skeetchestn Indian Band		
Chief Ronald E. Ignace		
Williams Lake Indian Band		
Chief Ann Louie		
As an individual	2018/02/06	93
Laurence Pearce, Researcher		
Atlantic Aboriginal Firefighters Association		
Allan Peters, Fire Chief and President		
Cree First Nation of Waswanipi Fire Department		
Timothy Saganash Stringer, Fire Chief		
Lennox Island First Nation		
Chief Matilda Ramjattan		
Micmacs of Gesgapegiag		
Franklin Condo, Director of Public Security		
Six Nations of the Grand River		
Chief Ava Hill		
Matt Miller, Fire Chief Six Nations Fire and Emergency Services		
Canadian Association of Fire Chiefs	2018/02/08	94
Tina Saryeddine, Executive Director		
Sean A. Tracey, Deputy Chief Ottawa Fire Services		

Organizations and Individuals	Date	Meeting
Kativik Regional Government	2018/02/08	94
Craig Lingard, Coordinator Civil Security Section		
Benoît Plante, Deputy Chief Kativik Regional Police Force		
Mohawk Council of Kahnawake		
Arnold Lazare, Director of Public Safety		
Kellyann Meloche, General Manager Emergency Preparedness and Planning, Public Safety		
Oneida Nation of the Thames		
Chief Randall Phillips		

APPENDIX B
LIST OF BRIEFS

Organizations and Individuals

Cree First Nation of Waswanipi Fire Department

First Nations Summit

Kativik Regional Government

Nishnawbe Aski Nation

Peter Ballantyne Cree Nation

St. Theresa Point First Nation

REQUEST FOR GOVERNMENT RESPONSE

Pursuant to Standing Order 109, the Committee requests that the government table a comprehensive response to this Report.

A copy of the relevant *Minutes of Proceedings* (Meetings Nos. 81 to 86, 88, 93, 94, 108 and 114) is tabled

Respectfully submitted,

Hon. MaryAnn Mihychuk
Chair